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In re application of:

Hastings *et al.* (As amended)

Appl. No. 09/373,658

Filed: August 13, 1999

For: **Meth1 Polynucleotides**

Confirmation No. 2817

Art Unit: 1642

Examiner: Canella, K.

Atty. Docket: 1488.1070006/EKS/CML

Second Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Information Disclosure Statement filed on May 10, 2000 in connection with the above-captioned application. A copy of each document is also provided.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of this application are related to SEQ ID NOs:177073 and 84851 in copending U.S. Patent Application Serial No. 09/912,293, filed July 26, 2001, and to SEQ ID Nos:37915, 35520, and 28946 in copending U.S. Patent Application Serial No. 09/912,292, filed July 26, 2001. Further, SEQ ID NO:3 and the corresponding clone of this application are related to SEQ ID NO:25609 and 99884 in copending U.S. Patent Application Serial No. 09/912, 293, filed July 26, 2001, and to SEQ ID NO:23336 in copending U.S. Patent Application Serial No. 09/912,292 filed July 26, 2001. Legible copies of those portions of U.S. Patent Application Serial Nos. 09/912,293 and 09/912,292

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which caused them to be listed on the attached Form PTO-1449 are submitted herewith as Documents AS26 and AT26 respectively.

Document No. AR25, sequence EST 1039649, was provided to the Applicants' employer, SmithKline Beecham Corporation, from Human Sciences Corporation (HGS). The sequence was used by the Applicants to obtain the sequence of SEQ ID NO: 1, which is a subject matter of the present application.

The Examiner is referred to the following list of related, co-pending patent applications:

U.S. Patent Application No. 09/989,687, filed November 21, 2001, inventors Hastings *et al.*, submitted herewith as Document AS25;

U.S. Patent Application No. 10/115,286, filed April 4, 2002, inventors Jonak *et al.*, submitted herewith as Document AT25;

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search

has been made, or that information more material to the examination of the present patent application does not exist.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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